

CONFLICT DEFENDER

Code No. 3-10-097

Exempt

DISTINGUISHING FEATURES OF THE CLASS: This is a supervisory attorney position responsible for directing the functions, staff, and services of the Conflict Defender's Office in the Department of Public Safety. The Office is responsible for assigning attorneys to defendants who cannot be assigned a Public Defender due to a conflict of interest. Duties involve administering the Joint County/Bar Association Plan for Conflict Assignments. Other duties involve developing and administering the systems, policies, practices, and procedures of the Office as well as hiring and supervising staff. This position differs from Assistant Conflict Defender by virtue of the responsibility of coordinating and administering the legal activities of the Conflict Defender's Office as opposed to solely acting as legal counsel. The employee reports directly to and works under the general supervision of the Director of Public Safety. General supervision is exercised over Assistant Conflict Defenders and clerical staff. Does related work as required.

TYPICAL WORK ACTIVITIES: (All need not be performed in a given position. Other related activities may be performed although not listed.)

Compiles and maintains a list of panel attorneys willing to accept conflict assignments;

Recruits attorneys in conjunction with the Bar, develops the application process, reviews applications and selects attorneys in accordance with Article VIII of the Joint County/Bar Association Plan for Conflict Assignments on a rotating basis for assignment by judges;

Maintains a record of all attorneys directly assigned by judges;

Formulates guidelines relative to the maximum recommended number of conflict cases to be assigned to panel attorneys;

Provides periodic reports to judges regarding the number of outstanding assignments for each panel attorney and advises judges when an attorney has reached the maximum number of conflict assignments;

Designs and implements an orientation program for panel attorneys;

Develops and implements a complaint procedure regarding attorney performance on pending cases that ensures all complaints are forwarded to the assigning judge for resolution, and where appropriate, are forwarded to a review committee established pursuant to Article XI of the Joint County/Bar Association Plan for Conflict Assignments;

Maintains a record of all complaints regarding attorney performance;

Reviews attorney vouchers prior to submission to the assigning judge and makes recommendations to the assigning judge regarding payment;

Maintains a record of attorney acceptance and rejection of assignments;

Develop and implement regulations for attorney billings in accordance with applicable laws and terms of the plan;

Maintains a motion and brief bank that is accessible to all panel attorneys;

Performs the duties of an Assistant Conflict Defender when necessary;

Prepares the annual budget, maintains fiscal control, and prepares the annual report;

Acts as a liaison between the Conflict Defender's Office and other County departments, the media, the public, and law enforcement agencies and explains policies and goals to the public, elected officials, and other governmental agencies.

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

Thorough knowledge of the New York State Penal Law and Criminal Procedure Law and Vehicle and Traffic Law; thorough knowledge of courtroom practices and procedures; thorough knowledge of Constitutional Law as it relates to the Criminal Law; thorough knowledge of the Joint County/Bar Association Plan for Conflict Assignments; ability to supervise professional attorney and clerical staff; ability to develop procedural guidelines for office operations; ability to effectively utilize relevant case law; ability to determine facts of a case and to prepare defense; ability to counsel and advise defendants; ability to protect the rights of individuals unfamiliar with legal procedures; ability to interpret and apply constitutional provisions, statutes, administrative regulations and precedents and rules of evidence; ability to research, interpret, apply, and explain applicable laws, codes, regulations, and court decisions; ability to utilize standard office equipment and computers in the performance of duties; ability to maintain accurate work records; ability to compile and summarize information and prepare periodic or special reports related to the work of the court or department to which assigned; ability to organize work, set priorities and meet critical deadlines; ability to present oral arguments; ability to communicate effectively both orally and in writing; ability to effectively contribute to the accomplishment of a team or work unit goals; ability to effectively establish and maintain effective working relationships with all types of individuals including judges, criminal lawyers, court administrators, and county officials; good judgement; physical condition commensurate with the demands of the position.

SPECIAL REQUIREMENT: If you are appointed, you will be required to have a valid license to operate a motor vehicle in New York State or otherwise demonstrate your capacity to meet the transportation needs of the job.

Depending on the position duties, candidates for employment with the Monroe County Government will be required to pass a pre-employment drug test.

ADOPTED: April 3, 2003

Approved Exempt by State Civil Service Commission action 10/18/04